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GPA-1645
Attorney Docket No. 19721-007 (AV-7)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Murdin et al.

SERIAL NUMBER: 09/428,122

EXAMINER: S. Devi

FILING DATE: October 27, 1999

ART UNIT: 1645

FOR: *CHLAMYDIA* ANTIGENS AND CORRESPONDING DNA FRAGMENTS AND
USES THEREOF

December 4, 2001
Boston, Massachusetts

Box DAC

Assistant Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified application:

- ☒ Response to Notice of Non-Compliant Amendment Under 37 CFR §§ 1.121 (1 pg);
- ☒ Copy of Notice of Non-Compliant Amendment Under 37 CFR §§ 1.121 (1 pg);
- ☒ Amendment and Response (12 pgs);
- ☒ Return Postcard.

The Commissioner is hereby authorized to charge payment of any filing fees required in connection with the papers transmitted herewith, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 19721-007). A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



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**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
UNDER 37 CFR §§ 1.121**

In response to the Notice of Non-Compliant Amendment, mailed November 6, 2001, Applicants submit a paper copy of the Amendment and Response timely filed on June 14, 2001, incorporating the compliant clean version of the replacement paragraphs under 37 CFR §§ 1.121(b)(1)(ii) and the marked-up version of the replacement paragraphs under 37 CFR §§ 1.121(b)(1)(iii).

A response to the Notice is due on or before December 6, 2001. Applicants believe that no additional fees are due in this filing, however, the Commissioner is authorized to charge any additional fees due, or credit any overpayment of same, to the undersigned's account, Deposit Account No. 50-0311, Reference No. 19721-007.

Should any questions or issues arise concerning this application, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED:

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 6-14-01 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- ☒ 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
- ☐ 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
- ☐ 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i).
- ☐ 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii).
- ☐ 5. Other: _____
- ☐ **PRELIMINARY AMENDMENT:** Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

Linda Humes
Legal Instruments Examiner